

Minutes of the regular meeting of the Town Council of the Town of Apple Valley, Washington County, Utah that was held on the 6th day of April, 2017 at the Town Office Building, 1777 N. Meadowlark Dr. Apple Valley, Utah.

1. The meeting was called to order at 6:00 pm.
2. The Pledge of Allegiance was led by Mayor Moser.
3. Roll Call: Trevor Black, Robert Campbell, Judith Davis, Ron Brown and Mayor Moser were present. Gary Kuhlmann, legal counsel was present. Engineering was excused. April Ruesch was present. Dale Harris was present. Chief Louie Ford was present. Jack Davis was present. Town Clerk, Nathan Bronemann, was present, taking minutes.
4. Declarations of conflict of interests.
None stated.
5. Public Comments

Rich Kopp asked if the Town owned the road in the Cedar Point and South Zion Subdivisions.

Diane Fralish asked how someone could construct a huge industrial building on a residential lot.

Mayor Moser said they could build a shop and a home on residential lots.

Nathan Bronemann said the building had a residence within the main building.

Diane Fralish said they had buried a large tank on the property and asked if that was legal.

Mayor Moser said the Town didn't have any ordinance against it, but it was possible the State had passed an ordinance that would pertain to that.

Diane Fralish asked about shipping containers.

Mayor Moser said a residential lot could have one large or two small shipping containers.

Diane Fralish said there were several on that lot.

Mayor Moser instructed Diane Fralish to fill out a complaint so April Ruesch could follow up on the issue.

Rich Kopp asked if a shipping container could be placed on a vacant lot.

Mayor Moser said on a residential lot a shipping container could be placed after a home building permit had been pulled.

Motion made by Judith Davis to close public comment. Trevor Black seconded the motion.
Vote: Trevor Black-yes, Robert Campbell-yes, Ron Brown-yes, Judith Davis-yes, Mayor Moser-yes. The motion passed 5/0.

6. Discussion and possible action on revisions to the Town attorney contract

Mayor Moser said the Town Council had already accepted the hourly rate increase, but they needed to review the proposal for the legal fees for bonding. He read the proposed agreement.

Judith Davis asked how it compared to other rates in the market.

Gary Kuhlmann said the bonding was unique because it increased the attorney's liability. He said the philosophy behind the proposal was to cover an attorney's potential legal liability.

Motion made by Ron Brown to have Gary Kuhlmann draw up a document for approval during the next meeting. Judith Davis seconded the motion. Vote: Trevor Black-yes, Robert Campbell-yes, Ron Brown-yes, Judith Davis-yes, Mayor Moser-yes. The motion passed 5/0.

7. Discussion and possible action on Interlocal agreement with Washington County for maintenance of Main Street

Mayor Moser read through the agreement.

Motion made by Trevor Black to approve the agreement. Ron Brown seconded the motion. Vote: Trevor Black-yes, Robert Campbell-yes, Ron Brown-yes, Judith Davis-yes, Mayor Moser-yes. The motion passed 5/0.

8. Discussion and possible action on MOU with Utah's Wildland fire management system

Mayor Moser said this pertained to the amounts paid to the Town for the use of its equipment in fighting wildland fires as well as rates paid to firefighters.

Motion made by Ron Brown to approve cancellation of the agreement to be replaced with the updated agreement. Judith Davis seconded the motion. Vote: Trevor Black-yes, Robert Campbell-yes, Ron Brown-yes, Judith Davis-yes, Mayor Moser-yes. The motion passed 5/0.

9. Discussion and action on participation in Statewide Wildland Fire Protection System

Mayor Moser said this had been previously discussed in a Town Council meeting. He said the agreement would have the State cover the Town in the case of large fires. He said the Town would be responsible for an annual payment of \$13,500 that could be made up by in-kind hours.

Trevor Black said it was basically an insurance policy.

Ron Brown said there were many ways the Town could earn the in-kind fire mitigation hours.

Motion made by Ron Brown to approve the agreement. Trevor Black seconded the motion. Vote: Trevor Black-yes, Robert Campbell-yes, Ron Brown-yes, Judith Davis-yes, Mayor Moser-yes. The motion passed 5/0.

10. Reports from Town Council members on assignments

Nothing to report.

11. Report and recommendation from the Planning Commission, (including discussion and action)

Nothing to report.

12. Report and recommendation from the Big Plains Water and Sewer SSD

Mayor Moser said they were moving forward with the acquisition of the Canaan Water Company.

13. Report and recommendation from the Fire Department

Louie Ford said they assisted on a medical call today. He said the individual was in a diabetic coma. He presented Judith Davis with some material regarding planting plants to mitigate fire danger.

14. Report and recommendation from the Community Events Committee

Marie McGowan said the Easter Egg hunt would be Saturday the 15th and the Chili Cook-off would be Saturday the 22nd.

15. Report and recommendation from the Code Enforcement Officer

See attached.

16. Report and recommendation from Emergency Management

See attached.

17. Report and recommendation from the Public Works Department

Dale Harris said he had been cutting ditches and grading roads in the outlying areas.

18. Consent Calendar - Income and Expenses - Town Treasurer

Motion made by Judith Davis to approve the consent calendar. Trevor Black seconded the motion. Vote: Trevor Black-yes, Robert Campbell-yes, Ron Brown-yes, Judith Davis-yes, Mayor Moser-yes. The motion passed 5/0.

19. Consider approval of minutes:

a. March 16, 2017 Regular Meeting Minutes

Motion made by Trevor Black to approve the March 16, 2017 regular meeting minutes. Judith Davis seconded the motion. Vote: Trevor Black-yes, Robert Campbell-abstain, Ron Brown-yes, Judith Davis-yes, Mayor Moser-yes. The motion passed 4/0 with one abstention.

20. Announcements

Mayor Moser reminded everyone of the Easter Egg hunt and the Chili Cook-off.

21. Request for a closed session

Motion made by Mayor Moser to move to a closed session to discuss a legal matter. Trevor Black seconded the motion. Vote: Trevor Black-yes, Robert Campbell-yes, Ron Brown-yes, Judith Davis-yes, Mayor Moser-yes. The motion passed 5/0.

22. Adjournment

Motion made by Mayor Moser to adjourn the meeting. Trevor Black seconded the motion. Vote: Trevor Black-yes, Robert Campbell-yes, Ron Brown-yes, Judith Davis-yes, Mayor Moser-yes. The motion passed 5/0.

Meeting adjourned at 7:01 PM.

Date approved: _____

ATTEST: _____
Nathan Bronemann

Richard Moser

CODE ENFORCER'S REPORT TO TOWN COUNCIL April 6, 2017

Since March 16, 2017:

We still have many dogs that need to be licensed.

I received word about 3 pit bulls running loose. I contacted the owner, through his mother, the homeowner. I gave him a warning ticket and told him he needs to register his dogs and may need a business license.

The owner of dogs we took to court finally got a second collar, to keep dogs on property. I passed the information to our new town prosecutor.

I had a complaint about cargo containers and talked to a new resident about painting hers. She told me they would be moving it further back on their adjoining lot after they get it unloaded.

I checked into a report of new billboard going up and found out it is an existing sign YESCO is rebuilding. They will also be rebuilding 2 more.

People should contact the town office before putting up any buildings, fences or animal runs, or before moving trailers and other items on to properties, to make sure they are in compliance with all ordinances or check land use codes on our website.

If anyone has a complaint regarding a town ordinance violation please come into the town office and fill out a complaint form.

Thank you,
April Ruesch

EMERGENCY MANAGEMENT REPORT April 6, 2017

I planned to attend the SW-CCC and SWRRT in Cedar City next Tuesday, the 11th.

There will be a Mass Fatality Incident Response training on Apr. 18th & 19th at the Russell C. Taylor Building on Medical Center Dr. I passed the information to our fire chief, and I should attend.

On May 9th there is an Animal & Vector Control Conference that I should also attend.

(IMPORTANT Reminder all town officials, workers and firemen are required to take NIMS courses, at least the ICS100 & 700). It is also recommended that town officials take ICS-G402. Firemen especially should complete more ICS courses online and when they become available to be eligible for grants and to be prepared for emergency incidents. We need your cooperation. The more people trained, the better prepared we will be. Outside help will not always be available and able to get to us. (If you need assistance let me know. THIS will need to be done for future FEMA grants.)

Thank you,
April Ruesch